

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7191

Tariff filing of Central Vermont Public Service)
Corporation requesting a 6.15% increase in its rates,)
effective June 29, 2006, for implementation as of)
February 1, 2007)

Order entered: 6/15/2009

ORDER CLOSING DOCKET

This docket concerned a rate increase request by Central Vermont Public Service Corporation ("CVPS"). The Public Service Board ("Board") issued a final order resolving the rate issues on December 7, 2006. The docket has remained open for the sole purpose of receiving compliance filings from CVPS regarding the Pomfret reliability project that was implemented to address the concerns raised in this docket by Ms. Gaal Crowl about the reliability of her electric service.

On March 31, 2009, CVPS filed a status report stating that all elements of the Pomfret reliability project were energized in January 2009, and CVPS has removed all pole butts, pulled all anchors and completed outstanding guying requirements. CVPS also stated that it has transferred the services of all affected customers to the new facilities and has committed to assisting two remaining customers with limited service work. According to CVPS, the remaining service work is being addressed as separate work requests and do not affect the finalization of the Pomfret project.

On April 1, 2009, the Board provided parties with an opportunity to comment on whether this proceeding should be closed. No party filed comments; however, on April 14, 2009, Ms. Crowl filed a letter expressing concern with closing the docket.

On May 8, 2009, CVPS filed a response to Ms. Crowl's letter. In its response, CVPS stated that it does not believe Ms. Crowl has demonstrated that it is necessary or appropriate to keep this docket open, or that closing the docket would adversely impact her interests. CVPS asserts that closing this docket would not limit Ms. Crowl's ability to seek Board review by filing a service-quality complaint against CVPS pursuant to 30 V.S.A. § 208. In addition, according to

CVPS, it is continuing to evaluate the circuit that serves Ms. Crowl (along with all other CVPS circuits), and has identified five additional projects to improve reliability in the Pomfret area. CVPS states that it is not necessary for the Board to keep this docket open to supervise all ongoing or future reliability projects.

No other party filed a response to Ms. Crowl's letter.

On May 12, 2009, Ms. Crowl filed a response to CVPS's May 8, 2009, filing. Ms. Crowl stated that she and her neighbors are prepared to follow up outside this docket, if necessary, to see if there is a substantive difference in the delivery of power to their neighborhood. Ms. Crowl added that the very first storm since the completion of the Pomfret reliability project resulted in a five-and-one-half hour outage for her.

On June 3, 2009, CVPS filed responses to questions from the Board concerning the outage referred to in Ms. Crowl's letter. CVPS stated that the outage was caused by the "failure and collapse of a 53-inch diameter pine tree with a circumference of 14 feet during extremely high winds on May 9, 2009."¹ According to CVPS, it appears that the high winds caused the tree to break at approximately 12 to 15 feet above ground level, and to fall across the three-phase CVPS distribution line and adjoining road. CVPS stated that the tree failure and line damage were located approximately five miles from the Crowls' residence, and involved a section of newly rebuilt line. According to CVPS, when the Pomfret reliability project was implemented, "all indications were that this tree was vigorous and healthy."² CVPS added that an inspection of the tree after its collapse did not show signs of trouble that were missed during construction. CVPS stated that this outage affected 419 customers in the Towns of Hartford and Pomfret, and restoration took 5.5 hours, in part because a front-end loader from the Town of Hartford was needed to help remove the tree from the downed line and the road.

We are persuaded that this docket should be closed. CVPS has completed the Pomfret reliability project, which was the action required by the Board in this docket to address Ms. Crowl's concerns. The goal of the project was to improve Ms. Crowl's (and other CVPS

1. Letter from Morris L. Silver, Esq., on behalf of CVPS, to Susan M. Hudson, Clerk, Board, filed June 3, 2009, at 1.

2. Letter from Morris L. Silver, Esq., on behalf of CVPS, to Susan M. Hudson, Clerk, Board, filed June 3, 2009, at 2.

customers') reliability to an adequate level. We recognize that Ms. Crowl questions whether CVPS has truly fixed her reliability problems because the Pomfret reliability project "stops miles from my neighborhood where old wires are the norm and poles remain far from roadways."³ However, since the most recent outage cited by Ms. Crowl occurred on a section of line that had just been rebuilt, the outage is not an indication that additional work closer to her neighborhood is needed to improve the reliability of her service. Unfortunately, severe storms can cause healthy trees to fall on power lines and cause outages; sometimes it can take several hours to repair the resulting damage. This appears to be what happened in this instance. Nevertheless, if Ms. Crowl continues to experience reliability problems, she may file a consumer complaint with the Board and request that the Board take appropriate action to address the situation.

Therefore, this docket shall be closed.

SO ORDERED.

3. Letter from Ms. Gaal Crowl to Susan M. Hudson, Clerk of the Board, filed April 14, 2009.

Dated at Montpelier, Vermont, this 15th day of June, 2009.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: June 15, 2009

ATTEST: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.